



ATTN: MAIL STOP DD  
PATENT APPLICATION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yang, Shumin  
McCall, Catherine A.  
Weber, Eric R.

Serial No.: 10/787,382

Filed: February 24, 2004

Atty. File no.: IM-2-C1-C1-1

For: "CANINE AND FELINE  
IMMUNOREGULATORY PROTEINS,  
NUCLEIC ACID MOLECULES, AND USES  
THEREOF"

Group Art Unit:

) Examiner:

)

)

)

)

)

)

)

)

)

)

)

)

)

)

INFORMATION DISCLOSURE  
STATEMENT

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO MAIL STOP DD, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THIS <u>22</u> DAY OF APRIL 2004.</p> <p style="text-align: center;">HESKA CORPORATION</p> <p>By: <u>Susan Gordon</u> Susan Gordon</p>
---

**Mail Stop DD**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

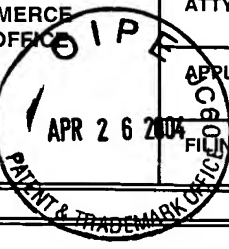
Pursuant to Applicants' duty of disclosure under 37 CFR § 1.56 and 37 CFR §§ 1.97-1.98, Applicants hereby provide the enclosed Form PTO-1449. The present application, Serial No. 10/787,382, relies upon the previously filed application, Serial No. 09/755,633, filed January 5, 2001; which relies upon Serial No. 09/322,409, filed May 28, 1999, for an earlier filing date. Therefore, in accordance with 37 CFR § 1.98(d), copies of all documents listed on attached Form PTO-1449 that were previously submitted to the U.S. Patent and Trademark Office in Application Serial No. 09/755,633 are not herein provided.

Respectfully submitted,

Dated: April 22, 2004

Richard J. Stern  
Richard J. Stern, Ph.D.  
Registration No. 50,668  
Heska Corporation  
1613 Prospect Parkway  
Fort Collins, Colorado 80525  
Telephone: (970) 493-7272  
Facsimile: (970) 491-9976

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. IM-2-C1-C1-1	SERIAL NO. 10/787,382
INFORMATION DISCLOSURE STATEMENT BY APPLICANT Page 1 of 3	APPLICANT Shumin Yang, Catherine A. McCall, Eric R. Weber	
	FILING DATE February 24, 2004	GROUP

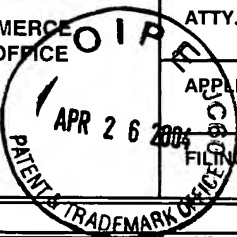


U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	ISSUE DATE	PATENTEE	CLS	SUB-CLS	FILE DATE
	A1	5,831,023	Nov. 3, 1998	Capon et al.			

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS							
EXAM. INITIAL		DOCUMENT NUMBER	PUBL. DATE	COUNTRY	CLS	SUB-CLS	TRANS ?
	B1	0 186 098 A1	2 Jul 1986	Europe			
	B2	0 759 468 A1	26 Feb 1997	Europe			
	B3	EP 0 322 870 A2	5 July 1989	Europe			
	B4	EP 0 414 355 A1	27 February 1991	Europe			
	B5	EP 0 875 251 A1	4 November 1998	Europe			
	B6	WO 99/61618	2 December 1999	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)		
	C1	Armitage et al., <i>Seminars in Immunology</i> , Vol. 5, 1993, pp. 401-412
	C2	Armitage et al., <i>Nature</i> , Vol. 357, 1992, pp. 80-82
	C3	Azuma et al., <i>Nucleic Acids Research</i> , Vol. 14, No. 22, 1986, pp. 9149-9158
	C4	Brown et al., <i>Journal of Immunology</i> , Vol. 142, No. 2, 1989, pp. 679-687
	C5	Cantrell et al., <i>Proc. Natl., Acad. Sci. USA</i> , Vol. 82, 1985, pp. 6250-6254
	C6	Daugherty et al., <i>Journal of Interferon Research</i> , Vol. 4, 1984, pp. 635-643
	C7	Dion et al., <i>Biochemical and Biophysical Research Communications</i> , Vol. 138, No. 2, 1986, pp. 826-834
	C7	Drexler, <i>Leukemia</i> , Vol. 10, 1996, pp. 588-599
	C9	Feng et al., <i>J. Mol. Evol.</i> , Vol. 21, 1985, pp. 112-125
	C10	Gauchat et al., <i>Res. Immunol.</i> , Vol. 145(3), Mar-Apr 1994, pp. 240-249
	C11	Gauchat et al., <i>FEBS 11964</i> , Vol. 315, No. 3, 1993, pp. 259-266
	C12	Goeddel et al., <i>Nature</i> , Vol. 290, 1981, pp. 20-26
EXAMINER		DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. IM-2-C1-C1-1	SERIAL NO. 10/787,382
INFORMATION DISCLOSURE STATEMENT BY APPLICANT Page 2 of 3	APPLICANT Shumin Yang, Catherine A. McCall, Eric R. Weber	
	FILING DATE February 24, 2004	GROUP



OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)		
C13	Gough et al., <i>The EMBO Journal</i> , Vol. 4, No. 3, 1985, pp. 645-653	
C14	Graf et al., <i>Eur. J. Immunol.</i> , Vol. 22, 1992, pp. 3191-3194	
C15	Grimaldi et al., <i>Journal of Immunology</i> , Vol. 149, No. 12, 1992, pp. 3921-3926	
C16	Hannum et al., <i>Nature</i> , Vol. 368, 1994, pp. 643-648	
C17	Heussler et al., <i>Gene</i> , Vol. 114, 1992, pp. 273-278	
C18	Himmler et al., <i>Journal of Interferon Research</i> , Vol. 7, 1987, pp. 173-183	
C19	Hirano et al., <i>Immunology</i> , Vol. 90, 1997, pp. 294-300	
C20	Hollenbaugh et al., <i>The EMBO Journal</i> , Vol. 11, No. 12, 1992, pp. 4313-4321	
C21	Inumaru et al., <i>Immunology and Cell Biology</i> , Vol. 73, 1995, pp. 474-476	
C21	Johnson et al., <i>J. Mol. Biol.</i> , Vol. 233, 1993, pp. 716-738	
C22	Kelley et al., <i>Nucleic Acids Research</i> , Vol. 13, No. 3, 1985, pp. 805-823	
C24	Lakkis et al., <i>Biochemical and Biophysical Research Communications</i> , Vol. 197, No. 2, 1993, pp. 612-618	
C25	Leong et al., <i>Veterinary Immunology and Immunopathology</i> , Vol. 21, 1989, pp. 261-278	
C26	Lerner et al., GenBank Accession No. U39634, submitted 27 Oct 1995	
C27	Lerner et al., GenBank Accession No. AAB42052 (U39634.1), submitted 27 Oct 1995	
C28	Lyman et al., <i>Blood</i> , Vol. 83, No. 10, 1994, pp. 2795-2801	
C29	Lyman et al., <i>Oncogene</i> , Vol. 10, 1995, pp. 149-157	
C30	Lyman et al., <i>Cell</i> , Vol. 75, 1993, pp. 1157-1167	
C31	Lyman et al., <i>Oncogene</i> , Vol. 11, 1995, pp. 1165-1172	
C32	McClanahan et al., <i>Blood</i> , Vol. 88, No. 9, 1996, pp. 3371-3382	
C33	McInnes et al., <i>Gene</i> , Vol. 105, 1991, pp. 275-279	
C31	McKenzie et al., <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 90, 1993, pp. 3735-3739	
C35	Mertens et al., <i>Immunogenetics</i> , Vol. 42, 1995, pp. 430-431	
C36	Minty et al., <i>Nature</i> , Vol. 362, 1993, pp. 248-250	
C37	Nagata et al., <i>Nature</i> , Vol. 287, 1980, pp. 401-408	
C38	Nakamura et al., <i>Biosci. Biotech. Biochem.</i> , Vol. 56, No. 2, 1992, pp. 211-214	
C39	Nash et al., <i>Blood</i> , Vol. 78, No. 4, 1991, pp. 930-937	
EXAMINER		
DATE CONSIDERED		
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Page 3 of 3	<b>ATTY. DOCKET NO.</b> IM-2-C1-C1-1	<b>SERIAL NO.</b> 10/787,382
	<b>APPLICANT</b> Shumin Yang, Catherine A. McCall, Eric R. Weber	
	<b>FILING DATE</b> February 24, 2004	<b>GROUP</b>

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)		
C40	Navarro et al., <i>J. Gen. Virol.</i> Vol. 70, 1989, pp. 1381-1389	
C41	O'Brien et al., <i>Immunology and Cell Biology</i> , Vol. 69, 1991, pp. 51-55	
C42	Osorio et al., <i>Vaccine</i> , Vol. 17, 1999, pp. 1109-1116	
C43	Padrid et al., <i>AJVR</i> , Vol. 59, No. 10, 1998, pp. 1263-1269	
C44	Patterson et al., <i>Journal of Clinical Investigation</i> , Vol. 44, No. 1, 1965, pp. 140-148	
C45	Seow et al., <i>Gene</i> , Vol. 124, 1993, pp. 291-293	
C46	Sideras et al., <i>Adv. Exp. Med. Biol.</i> , Vol. 213, 1987, pp. 227-236	
C47	Stamenkovic et al., <i>The EMBO Journal</i> , Vol. 8, No. 5, 1989, pp. 1403-1410	
C48	Torres et al., <i>Journal of Immunology</i> , Vol. 148, No. 2, 1992, pp. 620-626	
C49	Wong et al., <i>Science</i> , Vol. 228, 1985, pp. 810-815	
C50	Yokota et al., <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 83, 1986, pp. 5894-5898	
C51	Zhou et al., GenBank Accession No. L12991	
C52	Van Der Kaaij, et al., 1999, "Immunogenetics," Vol. 49, pp. 142-143	
C53	Ueda, et al., 1993, <i>Journal of Veterinary Medical Science</i> , Vol. 55, No. 2, pp. 251-258, XP001001462	
<b>EXAMINER</b> _____ <b>DATE CONSIDERED</b> _____		
<b>EXAMINER:</b> Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		